(1)

(3)

CF/1004

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 2024 /2003

PETITIONER : Rajendra Prasad Giri
Aged about 49 years
S/O Shri Parshuram Giri
Occupation Driver
R/O C-2, Raja Talab
Raipur (Chhattisgarh)

VERSUS

RESPONDENTS 1. Union of India
Through Secretary
Ministry of Personnel &
Training, New Delhi

2. State of Madhya Pradesh
Through Director
Sainik Kalyan, Madhya Pradesh
Guru Tegbahadur Complex
New Market T.T. Nagar
Bhopal (M.P.)

3. State of Chhattisgarh
Directorate
Sainik Kalyan Chhattisgarh
Kachahari, Campus, Raipur
(C.G.)

4. The Secretary
State Reorganisation Cell
(Advisory Committee BHopal)
Bhopal (M.P.)

P.R. No. 1660/03
Presented by Shri Pratap Singh
dated 06.06.03

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23/06/03
TO A.G. BILASPUR

शपथ आयुक्त
एस.के. अग्रवाल
बिलासपुर (छ.ग.)
बिलासपुर तहसील कोर्ट
2/6/03

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CLERK TO A.G. BILASPUR

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5. State of Chhattisgarh
Through Chief Secretary
Mantralaya, Raipur (C.G.)

6. Jila Sainik Kalyan Karyalaya
Bilaspur (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRITS IN THE NATURES OF MANDAMUS CERTIORARI AND/OR ORDER (S) AND/OR DIRECTIONS IN THE NATURE OF WRITS :

(54)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... W.P.2024/ ..... **सन् 2003**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11-5-2005 On a mention being made, the case is taken up for hearing. Mr. Rahul Mishra, counsel for the petitioner. Mr. S.K. Beriwal, Senior Panel Counsel for Union of India/ respondent No.1. Mr. G.K. Beriwal, Deputy Advocate General for the State/ respondents No.3, 5 & 6. None appears on behalf of respondents No.2 & 4. Heard. The petitioner who is working as driver in the Home Department of the State Govt. of Chhattisgarh has preferred this writ petition under Article 226/227 of the Constitution of India. The case of the petitioner is that he is working as Driver in the State Garage of Chhattisgarh under the Home Department. The petitioner joined his service in the Sainik Kalyan Board in the erstwhile State of Madhya Pradesh. After bifurcation of the State and formation of the State of Chhattisgarh the services of the petitioner have been merged in the Chhattisgarh State Garage on the pay scale of Rs.3050-75-3950-80-4950/- and on reorganisation of the State the petitioner gave option for the State of Chhattisgarh, however, he has been allocated to the State of Madhya Pradesh and ordered to join at Gwalior vide order dated 30th September, 2002.	

XI-HC-78

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.2024/ **सन् 2003**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	Learned counsel for the petitioner submits that even though the petitioner has opted for the State of Chhattisgarh, but he has been allocated to the State of Madhya Pradesh, therefore, the petitioner may be allowed to make a representation for re-consideration of allocation of his services to the State of Chhattisgarh to which learned counsel appearing for respondents No.1, 3, 5 & 6 have no objection. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a representation to respondent No.3 within 15 days from today, in turn, respondent No.3 shall forward the representation to respondent No.2 with its comments within three months from the date of receipt of the same, in turn, respondent No.2 shall forward the same within another 3 months thereof to respondent No.1/Union of India with its comments, and respondent No.1 shall decide the representation within another 3 months thereof on its own merits, in accordance with law. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.1833/2003, I.A.Nos.6096/2003 and 6149/2003 also stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	

Soma

17.5.05
23.6.05